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IN THE DISTRICT COURT IN AND FOR TULSA COUNTY  
STATE OF OKLAHOMA

AUG 18 2022

ROBERT E. JACK,

Plaintiff,

v.

AXIOM STRATEGIES, LLC, a foreign  
limited liability company,

Defendant.

Case No.:

**CJ-2022-02593**

DON NEWBERRY, Court Clerk  
STATE OF OKLA. TULSA COUNTY

DAMAN CANTRELL

PETITION

COMES NOW the Plaintiff, Robert E. Jack ("Bob Jack"), and for his cause of action in this matter states as follows:

1. Bob Jack is a resident of Tulsa County, Oklahoma. He is a political candidate for Tulsa County Commissioner District No. 3 and is in a runoff election on August 23, 2022.

2. Defendant Axiom Strategies, LLC ("Axiom") is a foreign limited liability company which assists political candidates across the country with various aspects of political campaigning, including mailers. Axiom regularly does business in the state of Oklahoma.

3. Bob Jack hired Axiom to assist with various mailers for his campaign. (Exhibit 1, Engagement Letter)

4. As part of that engagement, on May 18, 2022, Bob Jack approved a mailer, created by Axiom, acting through its duly authorized agents, servants, or employees, that included an absentee ballot request form. (Exhibit 2, Approval Email; Exhibit 3, Sample mailer) At no time in the approval process did anyone with Axiom or its agents inform Bob Jack of any additional information, that might be added to the mailer.

Exhibit A.1

5. After Bob Jack gave his approval, Axiom Strategies sent the mailers on May 31, 2022 on behalf of Bob Jack. The mailers, which Axiom Strategies altered without Bob Jack's knowledge, included either (i) partially completed absentee ballot request forms, including the recipients' dates of birth and mailing address information or (ii) a means that such an absentee ballot request could be made *via* QR code or website access.

6. Pursuant to 26 O.S. § 14-101.1, "absentee ballot harvesting" is a crime. Among the definitions of ballot harvesting within the statute, one possible violation is "[p]artially or fully completing an application for an absentee ballot on behalf of another person without that person's prior consent." 26 O.S. § 14-101.1(A)(5).

7. As a consequence of the actions of Axiom, a criminal investigation has been initiated by the Tulsa County Election Board pursuant to 26 O.S. § 16-123. That investigation has been referred to the Creek County District Attorney. By statute, the District Attorney must investigate such referrals. No charges have been filed against Mr. Jack as a result of this investigation and/or referral at the time this Petition was filed.

8. As a consequence of the actions of Axiom, Bob Jack's political opponent and others acting on his opponent's behalf have exploited this situation to accuse Mr. Jack of being a criminal, falsely accusing him of being "prosecuted"<sup>1</sup> for a crime he did not commit and with which he had no involvement. (Exhibit 4, Mailer; Exhibit 5, Hardin Run Off Recommendations) Additionally, the news media in Tulsa has picked up and carried stories about Bob Jack's supposed "crime.. This jeopardizes his position in the election and has caused damage to his personal reputation.

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<sup>1</sup> Somehow, these individuals and groups believes the inclusion of quotes around the word "prosecute" immunizes them from liability for false statements about Mr. Jack. It does not. To the contrary, it actually lends emphasis to the misstatement.


9. The actions of Axiom Strategies, LLC complained of above, constitute negligence, negligence per se, and/or gross negligence. Bob Jack has been damaged by Axiom Strategies, LLC's actions in an amount to be determined more specifically at trial, but which in any event will exceed Seventy-Five Thousand Dollars (\$75,000.00).

10. In addition, the actions of Axiom Strategies, LLC were taken in reckless disregard for the interests of Bob Jack, justifying an award of punitive damages in an amount to be determined pursuant to 23 O.S. §9.1.

WHEREFORE, premises considered, Plaintiff Robert A. Jack requests an award of actual damages in an amount in excess of \$75,000.00, punitive damages in an amount to be determined pursuant to 23 O.S. §9.1, attorney fees, costs, pre- and post-judgment interest, and all such other relief the Court may deem just and equitable.

Respectfully Submitted,

**BARBER & BARTZ**



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Taylor A. Burke, OBA #21121  
525 S. Main St., Suite 800  
Tulsa, Oklahoma 74103  
Telephone: (918) 599-7755  
Facsimile: (918) 599-7756  
Email: [tburke@barberbartz.com](mailto:tburke@barberbartz.com)  
**ATTORNEYS FOR PLAINTIFF**

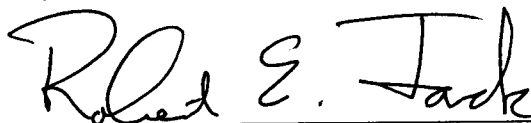
***JURY TRIAL DEMANDED  
ATTORNEY LIEN CLAIMED***

**VERIFICATION**

STATE OF OKLAHOMA     )  
                                      )  
COUNTY OF TULSA     )     ss.

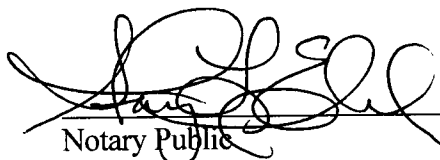
Robert E. Jack, of lawful age, being first duly sworn upon oath, states that:

I have read the above Petition and am aware of the contents thereof and the matters and things therein stated are true and correct to the best of my knowledge and belief.

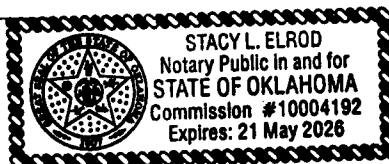


Robert E. Jack

SUBSCRIBED AND SWORN to before me this 18 day of August, 2022.

  
Notary Public

My commission expires: 5/21/26





## Letter of Engagement

Upon this engagement, Axiom Strategies, LLC ("AXIOM"), a limited liability company, will create and execute a comprehensive campaign strategy for the services listed below on behalf of Bob Jack ("CANDIDATE") and his committee ("COMMITTEE").

AXIOM will provide the following services beginning February 1, 2022 and lasting until (1) such Agreement is cancelled or (2) the conclusion of the campaign.

### 1. General Consulting

- ✓ Provide quality-driven General Consulting services to the campaign through conference calls, consultations, and strategic guidance.
- ✓ Integrate and build the existing campaign team to include all vendor selections, staff recommendations, reassignments, terminations, and pay schedules.
- ✓ Develop a detailed messaging matrix designed to integrate people and policy.
- ✓ Create a voter contact strategy for all outreach services including Voter ID and Targeting, Direct Mail, Direct Mail Fundraising, Email Fundraising, Field, Television, Radio and Digital Media, IVR's, Phone Services and Social Media.
- ✓ Provide crisis management when necessary.
- ✓ Increase awareness of the campaign with proven direct marketing techniques.
- ✓ Provide real-time press updates and ongoing media monitoring as needed.
- ✓ Complete narrative development and messaging.
- ✓ Provide policy, issue, and tactical guidance.

✦ A General Consulting monthly retainer of \$1,500 will begin with the date of this agreement and continue through July 31, 2022.

✦ Monthly retainers are invoiced on the first of each month and are due upon receipt.

### 2. Opposition & Vulnerability Research

- ✓ Cannon Research Group, a partner firm, will provide thorough opposition and background research to equip your campaign with all the information needed to make the most informed decisions possible.

✦ Research is in addition to any retainers listed and will be quoted separately.

### 3. Direct Voter Contact

- ✓ Exclusive provider of all Voter Contact services including Direct Mail, Media Buying, IVR Polling and Phone Services.
- ✓ Create a quality and effective direct mail plan, design all content for each mail piece and execute a strategic delivery and drop date sequence.
- ✓ Create a strategic and effective IVR and phone plan.
- ✓ Create and execute a media buying plan.



RM



- ✦ All direct costs incurred for design, development, printing, and production of services through AXIOM, or AXIOM affiliates, are the responsibility of the campaign.
- ✦ AXIOM will purchase all media at standard media commission rates.
- ✦ Direct Voter Contact is in addition to any retainers listed and will be quoted separately.

#### 4. **Field Services**

Vanguard Field Strategies, a partner firm, will provide all field/door services for the campaign to include:

- ✓ Voter ID, Persuasion, GOTV;
- ✓ Management and staffing of the complete effort.

- ✦ Field Services is in addition to any retainers listed and will be quoted separately.

#### 5. **Digital Consulting**

Working with your team, AXIOM will develop a digital plan and strategy that integrates the offline efforts of the campaign to every online tool at our disposal. Our plans will be tailored to meet your goals, with a responsive and professional team to execute the plan.

- ✦ *Logo study, review, design, and creation (fixed fee)*
- ✦ *Digital Launch Package – (fixed fee)*
  - *Single website splash page with candidate bio*
  - *Website Donation Portal at standard rates*
  - *Email platform set up, training and one template created*
- ✦ *Digital Strategy and Content Production on a monthly retainer.*
- ✦ Digital Consulting is in addition to retainers listed and will be quoted separately.

#### 6. **Digital Advertising**

Our ad operations will dedicate efforts to each of the primary social media platforms and advertising networks (Facebook, YouTube, Twitter, and Google), as well as a team dedicated to advanced behavioral targeting using your data in order to reach the campaign's target audiences.

- ✦ Exclusive provider of digital advertising and email fundraising services:
  - All digital media purchased at standard digital media commission rates.
  - List rental fees and video production will be quoted per assignment.
  - All email fundraising will be at industry standard commission rates.
- ✦ Digital Advertising services must be paid in advance of services being rendered.

#### 7. **Final Matters**

All services require payment in advance before delivery of any product or advertisement.



All expenses directly related to the campaign for travel (airfare, hotel, auto, meals, etc.) will be invoiced accordingly.

AXIOM shall use best efforts and diligence in performing the services required by this agreement. AXIOM, its principals, employees, agents and/or assigns make no warranty, express or implied, as to the results of the services provided or any future services that may be contracted. Although AXIOM from time to time may opine about the possible results regarding the campaign, AXIOM cannot guarantee any particular result. CANDIDATE acknowledges that AXIOM has made no promises about the results and that any opinion and/or polling information offered by AXIOM in the future will not constitute a guaranty.

All work of AXIOM, including but not limited to print copy, audio copy, audio and video tapes, any and all lists and data files developed or created, themes, designs, slogans, and any and all other creative products of AXIOM, its agents and employees, are and shall be the joint property of AXIOM and CANDIDATE.

Cancellation of this Agreement requires either party to send a 30-Day Intent to Cancel Agreement Notice (via E-Mail) to contacts of record. In the event of termination of this agreement, and/or the termination of this candidacy for any reason, it is agreed that AXIOM will receive all regular fees and commissions during the thirty (30) days notification period. Losing the Primary or General election will not count as a "termination." Upon the expiration of the 30-day period of notice, to the extent that third parties already contracted by AXIOM for CANDIDATE or COMMITTEE refuse to release AXIOM from its obligation, AXIOM shall be reimbursed for any costs incurred by AXIOM in connection with non-cancelable contracts made on CANDIDATE's or COMMITTEE's behalf.

COMMITTEE and CANDIDATE both agree to hold AXIOM its partners and its employees harmless for any damages, claims, causes of action or injury that may occur in the commission of services or as a result of services under this agreement.

If COMMITTEE is unable or unwilling to pay any obligations due under this agreement, CANDIDATE agrees to pay all obligations due. Both CANDIDATE AND COMMITTEE agree to be jointly and severally liable for all obligations under this agreement.

*[signature page follows]*



The foregoing is hereby approved and agreed to:

**CANDIDATE & COMMITTEE**

Name: Robert Jack

Email: Vote Bob Jack@gmail.com

Signature: Robert Jack

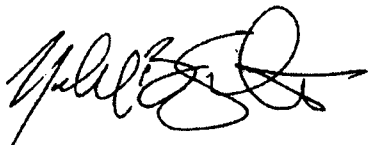
Date: 1/11/2022

Invoicing Contact: Robert Jack

Invoicing Email: Vote Bob Jack @  
gmail.com

**AXIOM STRATEGIES, LLC**

Name: Nick Schulte, CFO

Signature: 

Date: January 10, 2022

State: <u>OK</u>	Race: <u>Tulsa County Commissioner D3</u>	GC: <u>JH</u>
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pm



**VoteBobJack@gmail.com**

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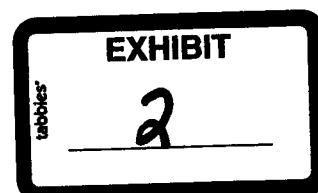
**From:** Bob Jack <votebobjack@gmail.com>  
**Sent:** Wednesday, May 18, 2022 10:53 AM  
**To:** Josh Harlow  
**Subject:** Re: For Review - Jack 02 AB/EV Push  
**Attachments:** Jack 02 AB-EV Push-Draft3.pdf; Untitled attachment 00535.htm

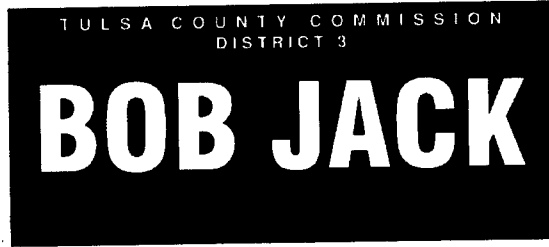
Approved.

Sent from my iPhone

On 18 May 2022, at 10:36 a.m., Josh Harlow <jharlow@axiomstrategies.com> wrote:

Attached is the new draft. Let me know if you have any additional edits. We will plan to drop it at the post office on May 31<sup>st</sup>.





## DEFEND THE POLICE, DON'T DEFUND THEM.

"Law enforcement stands up for US in our  
community and I will stand up for them!"  
—Bob Jack

- ✓ Back the Blue
- ✓ Endorsed by Tulsa Fraternal  
Order of Police

Use your phone camera to scan the QR code, visit [VoteBobJack.com](http://VoteBobJack.com), or fill out the forms below to register your ballot today!

 [VoteBobJack.com](http://VoteBobJack.com)



REPUBLICAN PRIMARY ELECTION:  
**JUNE 28TH**

EARLY VOTING:  
**JUNE 23-25TH**

keep this part as a reminder

FULL NAME

PLACE  
STAMP  
HERE

ADDRESS

CITY STATE ZIP

**Tulsa County Election Board**  
555 N. Denver Ave.  
Tulsa, OK 74103

FULL NAME

PLACE  
STAMP  
HERE

ADDRESS

CITY STATE ZIP

**Tulsa County Election Board**  
555 N. Denver Ave.  
Tulsa, OK 74103

EXHIBIT

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TULSA COUNTY COMMISSION  
DISTRICT 3  
**BOB JACK**

**BOB JACK STANDS WITH POLICE AND  
THEY STAND WITH HIM.**



"Bob is a long time friend and supporter of law enforcement. As a businessman of over 50 years, he has the foundation and values to lead our community into the future. Please join us in voting for Bob on June 28th!"  
-Tulsa Fraternal Order of Police

REPUBLICAN PRIMARY ELECTION:

**JUNE 28TH**

EARLY VOTING:

**JUNE 23-25TH**

Keep this part as a reminder



Fill out the attached request form,  
visit [okvoterportal.okelections.us](https://okvoterportal.okelections.us),  
or scan the code to request your  
ballot today.

**APPLICATION FOR BALLOT BY MAIL**

Name, Registered Address & Date of Birth

[Redacted box for Name, Registered Address & Date of Birth]

If mailing address is different from registered address  
in the box above, please mail my ballot to:

[Redacted box for alternate mailing address]

[Redacted box for alternate mailing address]

☐ Request absentee ballots for all  
election I am eligible to participate in  
this calendar year

☐ I request absentee ballots only for the  
election date: June 28

Date of request: \_\_\_\_\_

[Redacted box for Date of request]

Resident Address of Witness/Assistant or Title of Witness  
If an Election Official

[Redacted box for Resident Address of Witness/Assistant]

Relationship to Applicant of Witness/Assistant (check one)  
☐ parent ☐ grandparent ☐ spouse ☐ child ☐ sibling  
☐ other resident at same address as applicant.

**APPLICATION FOR BALLOT BY MAIL**

Name, Registered Address & Date of Birth

[Redacted box for Name, Registered Address & Date of Birth]

If mailing address is different from registered address  
in the box above, please mail my ballot to:

[Redacted box for alternate mailing address]

[Redacted box for alternate mailing address]

☐ Request absentee ballots for all  
election I am eligible to participate in  
this calendar year

☐ I request absentee ballots only for the  
election date: June 28

Date of request: \_\_\_\_\_

[Redacted box for Date of request]

Resident Address of Witness/Assistant or Title of Witness  
If an Election Official

[Redacted box for Resident Address of Witness/Assistant]

Relationship to Applicant of Witness/Assistant (check one)  
☐ parent ☐ grandparent ☐ spouse ☐ child ☐ sibling  
☐ other resident at same address as applicant.

PAID FOR BY FRIENDS OF BOB JACK

4544 S. JAMESTOWN AVE  
TULSA, OK 74135

PSRST STD  
U.S. POSTAGE  
PAID  
CORE INSIGHT

INVESTIGATION UNDERWAY:

**DA assigned to "prosecute" [Bob Jack]**

by Daniela Ibarra, KTUL Staff | Tuesday, August 9th 2022

it is a felony to: "...

According to Oklahoma law

Citation: 26 O.S. § 16-101 (OSCN 2022)

... "



PRSRV STD  
US POSTAGE  
PAID  
TULSA OK  
PERMIT 824

EXHIBIT

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# **OKLAHOMA HAS STIFF PENALTIES FOR "BALLOT HARVESTING": UP TO 5 YEARS IN PRISON, \$50,000 FINES, OR BOTH.**

(Source: 26 O.S. § 16-104.1)

**BUT CANDIDATE BOB JACK SENT  
PRE-FILLED,  
UNSOLICITED BALLOT  
APPLICATIONS ANYWAYS.**



# **SAY NO TO BALLOT HARVESTING**

< 1 **URGENT - Oklahoma Run Off Recommendations - Vote Aug 23** ^ v

3 Messages

[Click here](#) and then insert your address for information on the races in your area.

**TULSA COUNTY COMMISSIONER District #3**

Kelly Dunkerley

NOTE: Bob Jack running against Dunkerley is currently being prosecuted for ballot harvesting--which he denies--but when I received his campaign piece that's exactly what I thought it was. He has been part of the good 'ol boys Republican establishment with a long history of dealings that make him a poor choice, in my opinion, IF he stays out of jail.

Blessings,

Kevin & Karen Hardin, Event Coordinators



EXHIBIT

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